

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION**

**JOSEPH B. McADAMS,**

**Plaintiff,**

**v.**

**TALLADEGA COUNTY JAIL, et. al.,**

**Defendants.**

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**Case No.: 7:12-cv-02492-RDP-JEO**


**MEMORANDUM OPINION**

On July 9, 2014, the Magistrate Judge's Report and Recommendation was entered and the parties were allowed therein eleven (11) days in which to file objections to the recommendations made by the Magistrate Judge. (Doc. # 42). On July 21, 2014, Plaintiff filed a Motion for a Thirty Day Extension of Time for Plaintiff to File his Objections. (Doc. # 43). On July 22, 2014, the Motion (Doc. # 43) was granted, and Plaintiff was given an additional thirty days, or until August 21, 2014 to file objections. (Doc. # 44). No objections were filed.

After careful consideration of the record in this case and the Magistrate Judge's Report and Recommendation, the court hereby **ADOPTS** the Report of the Magistrate Judge. The court further **ACCEPTS** the recommendations of the Magistrate Judge: (1) that Defendants' special report be treated as a motion for summary judgment and be granted; (2) that Plaintiff's Eighth Amendment claims be dismissed with prejudice; (3) that Plaintiff's retaliation claim be dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915A(b)(1); (4) that the court decline to exercise supplemental jurisdiction over Plaintiff's state law claims of medical malpractice or negligence; and (5) that those claims be dismissed, without prejudice, pursuant to 28 U.S.C. § 1367(c)(3)

A separate order in accordance with this Memorandum Opinion will be entered.

**DONE** and **ORDERED** this August 29, 2014.



**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE